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1 2 **COMMISSIONERS**

BOB STUMP

PAUL NEWMAN

BRENDA BURNS

GARY PIERCE, Chairman

SANDRA D. KENNEDY

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Two North Central Avenue, Suite 2200 Phoenix, Arizona 85004-4406 (602) 364-7000 13 14 15

Bryan Cave LLP

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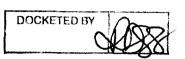
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Arizona Corporation Commission DOCKETED

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BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE FORMAL COMPLAINT OF CHARLES J. DAINS AGAINST RIGBY WATER COMPANY

DOCKET NO. W-01808A-09-0137

NOTICE OF AGREEMENT AS TO **COMPLIANCE ITEMS** PURSUANT TO DECISION NO. 72252

Pursuant to Decision No. 72252, Complainant and Rigby Water Company hereby provide notice that they have reached agreement as to a later date for payment of the amounts ordered paid to Complainant in Decision No. 72252. Following discussions between Rigby Water Company, the Dains Estate and Staff, the parties have agreed that Complainant will be paid concurrently with Rigby Water Company's receipt of the lump sum settlement proceeds from the City of Avondale in the pending condemnation action against Rigby Water Company, and have reached agreement with the City to this mechanism for payment.

RESPECTFULLY SUBMITTED this ⁹ day of May, 2011.

BRYAN CAVE LLP

Steven A. Hirsch, #006360

Stanley B. Lutz, #021195

Two N. Central Avenue, Suite 2200

Phoenix, AZ 85004-4406

Attorneys for Rigby Water Company

CRAIG A. MARKS, PLC

By Craix a Marks

Craig A. Marks 10645 North Tatum Boulevard Suite 200-676 Phoenix, Arizona 85028

Attorney for the Estate of Charles J. Dains

ORIGINAL and 13 copies of the foregoing filed this 440 day of May, 2011 with:

Docket Control Division Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007

COPIES of the foregoing hand-delivered this Allay of May, 2011, to:

Chief Administrative Law Judge Hearing Division Arizona Corporation Commission 1200 W. Washington Phoenix, AZ 85007

Lyn A. Farmer, Esq.

Mr. Stephen M. Olea Director, Utilities Division Arizona Corporation Commission 1200 W. Washington Phoenix, AZ 85007

Janice Alward, Chief Counsel Legal Division Arizona Corporation Commission 1200 W. Washington Street Phoenix, AZ 85007

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Two North Central Avenue, Suite 2200 Phoenix, Arizona 85004-4406 (602) 364-7000

(602) 364-7000	1	COPY of the foregoing mailed and e-mailed
	2	this Alday of May, 2011
	3	to:
	4	Craig A. Marks, Esq.
	5	Craig A. Marks, PLC 10645 North Tatum Boulevard
	6	Suite 200-676 Phoenix, Arizona 85028
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	8	Cathy Tandy
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